

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 PAUL JORDAN,
12 Plaintiff,
13 v.
14 DEBBIE ASUNCION, et al.,
15 Defendants.

Case No. CV 17-1283 PSG (PVC)

**ORDER ACCEPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE**

16
17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Second Amended
18 Complaint in the above-captioned matter, Defendants' Motion for Summary Judgment
19 ("MSJ"), all the records and files herein, the Report and Recommendation of the United
20 States Magistrate Judge, and Plaintiff's Objections. After having made a *de novo*
21 determination of the portions of the Report and Recommendation to which Objections
22 were directed, the Court concurs with and accepts the findings and conclusions of the
23 Magistrate Judge.
24

25 In his Objections, Plaintiff renews his contention that he did not receive all the
26 discovery he was due and asks this Court to reject the Magistrate Judge's Report and
27 Recommendation on that basis and reopen discovery "so a jury can hear the case." (Obj.
28 at 2). These Objections are unavailing. The Court has previously considered Plaintiff's

1 discovery arguments, most recently in addressing Plaintiff's Second Motion for Default
2 and Request for Reconsideration. The Court construed these motions as a motion to
3 compel and required a response from Defendants. (*See* Dkt. No. 46 (Order construing
4 Plaintiff's Second Motion for Default and Request for Reconsideration as a motion to
5 compel); Dkt. No. 50 (declaration of Defendants' counsel, attaching complete copies of
6 all of Defendants' responses to Plaintiff's discovery requests); Dkt. No. 54 (Order denying
7 Plaintiff's motions). Plaintiff's unsupported assertions that additional discovery must
8 exist are not persuasive and insufficient to create a triable issue of material fact on
9 summary judgment.

10
11 IT IS ORDERED THAT Defendants' Motion for Summary Judgment is
12 GRANTED. Judgment shall be entered DISMISSING this action WITH PREJUDICE.

13
14 IT IS FURTHER ORDERED THAT the Clerk shall serve copies of this Order and
15 the Judgment herein on Plaintiff at his address of record and on counsel for Defendants.

16
17 IT IS SO ORDERED.

18
19 DATED: 3/12/21



20
21 PHILIP S. GUTIERREZ
22 UNITED STATES DISTRICT JUDGE
23
24
25
26
27
28